

Notice of Allowability

Application No.

10/533,343

Examiner

Rodney H. Bonck

Applicant(s)

QUEHENBERGER ET AL.

Art Unit

3681

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment received July 9, 2007.
2. ☒ The allowed claim(s) is/are 4 and 8-14.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

The following action is in response to the amendment received July 9, 2007.

Examiner's Amendment

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

On the Abstract page, after the Abstract, "Illustration: Fig. 1" has been deleted.

The above change eliminates extraneous matter on the abstract page.

Drawing Amendment

The examiner has approved the following changes to the drawings:

The first sheet of drawings should be submitted as a replacement sheet with "1 / 3" changed to – 1 / 2 --. The second sheet of drawings should be submitted as a replacement sheet with cancelled Fig. 4 omitted and with "2 / 3" changed to – 2 / 2 --. (See 37 CFR 1.121 (d)).

In order to avoid abandonment of the application, applicant must make these above drawing changes.

Allowable Subject Matter

Claims 4 and 8-14 are allowed. Claims 10, 4, 8, 9, and 11-14 will be renumbered for printing as claims 1-8, respectively.

Reasons for Allowance

The following is an examiner's statement of reasons for allowance:

The prior art of record fails to show or render obvious an actuator as defined in claims 10 and 11 having a cylinder/piston unit, reversible electric motor/pump unit, and self-regulating valve unit having the dump valve and nonreturn valve as defined in the claims, and particularly wherein the slide is positionable in the second position in response to positive pressure of the pressure medium from the reversible electric motor/pump unit and positionable in the first position in response to negative pressure of the pressure medium from the reversible electric motor/pump unit.

The art also fails to show or render obvious a friction clutch as defined in claim 14 comprising a clutch plate and actuator wherein the actuator has a cylinder/piston unit, reversible electric motor/pump unit, and self-regulating valve unit having the dump valve and nonreturn valve as defined in the claim, and particularly wherein the spring-assisted slide is positionable in the second position in response to positive pressure of

the pressure medium from the reversible electric motor/pump unit and positionable in the first position in response to negative pressure of the pressure medium from the reversible electric motor/pump unit.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Response to Amendment

The objection to the specification is withdrawn in view of applicants' proposed amendment to the drawings. Note that the Office no longer makes drawing changes. Thus, applicants must submitted corrected drawings in accordance with the above "Examiner's Amendment".

Since claim 7 has been cancelled, the objection to claim 7 set forth in the previous Office action is withdrawn. In view of the amendments to the claims, the rejections under 35 USC 112, 2nd paragraph, and 35 USC 103(a) set forth in the previous Office action are also withdrawn.

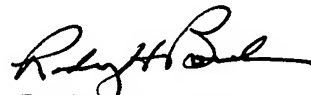
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rodney H. Bonck whose telephone number is (571)

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272-7089. The examiner can normally be reached on Monday-Friday 7:00AM - 3:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles A. Marmor can be reached on (571) 272-7095. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Rodney H. Bonck
Primary Examiner
Art Unit 3681

rhb
August 15, 2007